

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ELLEN K. KENNETT,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting  
Commissioner of the Social Security  
Administration,

Defendant.

CASE NO. 3:14-cv-05770 JRC

ORDER ON UNOPPOSED MOTION  
FOR EQUAL ACCESS TO JUSTICE  
ACT FEES AND EXPENSES

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local Magistrate Judge Rule MJR 13 (*see also* Notice of Initial Assignment to a U.S. Magistrate Judge and Consent Form, Dkt. 5; Consent to Proceed Before a United States Magistrate Judge, Dkt. 6).

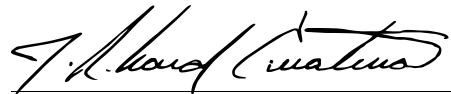
This matter is before the Court on plaintiff's Motion for Equal Access to Justice Act Fees and Expenses Pursuant to 28 U.S.C. § 2412 (*see* Dkt. 22). Defendant has no objection to plaintiff's motion (*see* Dkt. 23).

Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, ("EAJA"), plaintiff's motion (*see* Dkt. 22), the attorney declaration and time and expense itemizations (Dkt. 22, Attachments

1 2 and 3), and the relevant record, it is hereby ORDERED that EAJA fees of \$6,300.71 and  
2 expenses in the amount of \$28.39, shall be awarded to plaintiff pursuant to the EAJA and  
3 consistent with *Astrue v. Ratliff*, 130 S.Ct. 2521, 2524, 2010 U.S. LEXIS 4763 at \*\*\*6-\*\*\*7  
4 (2010).

5 The Acting Commissioner shall contact the Department of Treasury after the Order for  
6 EAJA fees and expenses is entered to determine if the EAJA fees and expenses are subject to any  
7 offset. If it is determined that plaintiff's EAJA fees and expenses are not subject to any offset  
8 allowed pursuant to the Department of the Treasury's Offset Program, then the check for EAJA  
9 fees and expenses shall be made payable to Eitan Kassel Yanich, Esq., based on plaintiff's  
10 assignment of these amounts to plaintiff's attorney (*see* Plaintiff's Declaration Regarding Net  
11 Worth and Payment of EAJA Fees, Dkt. 21) and paid directly to plaintiff's attorney, either by  
12 direct deposit or by check payable to him. If there is an offset, the remainder shall be made  
13 payable to plaintiff, based on the practice of the Department of the Treasury (*see, e.g.*, Case No.  
14 2:15-cv-122, Dkt. 22, p. 4). Any check for EAJA fees and expenses shall be mailed to plaintiff's  
15 counsel, Eitan Kassel Yanich, Esq., at Law Office of Eitan Kassel Yanich, PLLC 203 Fourth  
16 Avenue E., Suite 321, Olympia, WA 98501.

17 Dated this 18th day of November, 2015.

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20 J. Richard Creatura  
21 United States Magistrate Judge  
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